

AO 440 (Rev. 10/93) Summons In a Civil Action

**United States District  
Court 04 CV 06065**

SOUTHERN

NEW YORK

DISTRICT OF

Off Stage Productions, Inc., Gipsy Kings, Inc. and Nicholas Reyes, Paul Reyes, Francois Canute Reyes, Andre Reyes, Maurice Baliardo, Jacques Baliardo, and Tonino Baliardo Professionally Known as The "Gipsy Kings"

Plaintiffs,

CASE NUMBER:

V.

Phillipe Bourgues a/k/a Manolo, Joseph Cortes a/k/a Lito, Le Jazz Aubar, Inc., ABC Company. d/b/a Le Jazz Aubar, Ciao Inc., XYZ Company. d/b/a Ciao

Defendants.

**TO: (Name and address of defendant)**Le Jazz Aubar Inc., 41 East 58<sup>th</sup> Street, New York, New York 10022ABC Co. d/b/a Le Jazz Aubar Inc., 41 East 58<sup>th</sup> Street, New York, New York 10022

Ciao Inc., 150 Spring Street, New York, New York 10012

XYZ Co. d/b/a Ciao Inc., 150 Spring Street, New York, New York 10012

Phillipe Bourgues a/k/a Manolo, d/b/a Manolito at 2895 Biscayne Blvd, suite 500, Miami Fl. 33137

Joseph Cortes a/k/a Lito, d/b/a Manolita at 2895 Biscayne Blvd, suite 500, Miami Fl. 33137

**YOU ARE HEREBY SUMMONED and required to serve upon PLAINTIFFS' ATTORNEY  
(name and address)**

GOODKIND LABATON RUDOFF &amp; SUCHAROW LLP

100 Park Avenue

New York, New York 10017

Telephone: (212) 907-0700

an answer to the complaint which is herewith served upon you, within twenty (20) days after service of this summons upon you, exclusive of the day of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the complaint. You must also file your answer with the Clerk of this Court within a reasonable period of time after service.

**J. MICHAEL McMAHON**

AUG 05 2004

CLERK

DATE

BY DEPUTY CLERK

**AFFIDAVIT OF SERVICE**

UNITED STATES DISTRICT COURT  
Southern District of New York

Index Number: 04 CV 06065

Date Filed: \_\_\_\_\_

**Plaintiffs:**

**Off Stage Productions, Inc., et al**

vs.

**Defendants:**

**Phillipe Bourges a/k/a Manolo, et al**

Received by ASK Litigation Support, Inc. to be served on **CIAO INC., 150 Spring Street, New York, NY 10012**.

I, Melvin Adelglass, being duly sworn, depose and say that on the **12th day of August, 2004** at **7:30 pm**, I:

**PERSONALLY** delivered a true copy of the **Summons & Complaint with Exhibit A-C, Rule 7.1 Statement and Civil Cover Sheet** to Manager , who was served in hand at the actual place of business, indicated above.

**Additional Information pertaining to this Service:**

8/12/2004 7:30 pm Manager was present but she did not step forward. Left on menu counter directly in front of her

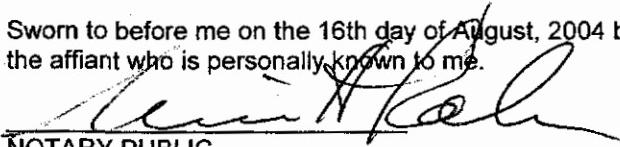
8/9/2004 Juan Pereira attempted Service: Manager not available

8/9/2004 7:20 pm Mel Adelglass attempted Service: Manager not available

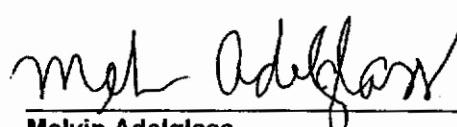
**Description of Person Served:** Age: 40, Sex: F, Race/Skin Color: Caucasian, Height: 5' 8", Weight: 135, Hair: Brown, Glasses: N

I am over the age of 18, not a party to this action, and reside in the State of New York.

Sworn to before me on the 16th day of August, 2004 by  
the affiant who is personally known to me.

  
**NOTARY PUBLIC**

**SIMON H. KAHN**  
**NOTARY PUBLIC, State of New York**  
No. 01KA5066776  
Qualified in New York County  
Commission Expires March 11, 2006

  
**Melvin Adelglass**

Lic. No. 862389

**ASK Litigation Support, Inc.**  
**D/B/A Firm Service**  
**18 East 41st. Street, Suite 406**  
**New York, NY 10017**  
**(212) 481-9000**  
Our Job Serial Number: 2004001940

**AFFIDAVIT OF SERVICE**

**UNITED STATES DISTRICT COURT  
Southern District of New York**

Index Number: 04 CV 06065

Date Filed: \_\_\_\_\_

Plaintiffs:

**Off Stage Productions, Inc., et al**

vs.

Defendants:

**Phillipe Bourges a/k/a Manolo, et al**

Received by ASK Litigation Support, Inc. to be served on **LE JAZZ AUBAR INC., 41 East 58th Street, New York, NY 10022**.

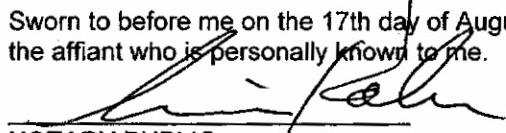
I, Melvin Adelglass, being duly sworn, depose and say that on the **9th day of August, 2004 at 4:08 pm**, I:

Personally delivered a true copy of the **Summons & Complaint with Exhibit A-C, Rule 7.1 Statement and Civil Cover Sheet** to Christine Carbisiero, Manager and that said documents were in actuality delivered to the business at the location stated above.

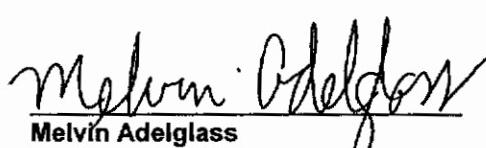
Description of Person Served: Age: 27, Sex: F, Race/Skin Color: Caucasian, Height: 5'0", Weight: 100, Hair: Brown, Glasses: Y

I am over the age of 18, not a party to this action, and reside in the State of New York.

Sworn to before me on the 17th day of August, 2004 by  
the affiant who is personally known to me.

  
**NOTARY PUBLIC**

**SIMON H. KAHN**  
**NOTARY PUBLIC, State of New York**  
**No. 01KA5066776**  
**Qualified in New York County**  
**Commission Expires March 11, 2006**

  
**Melvin Adelglass**

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**18 East 41st Street, Suite 406**  
**New York, NY 10017**  
**(212) 481-9000**  
**Our Job Serial Number: 2004001939**